IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

MONDAY, THE 8TH JANUARY 2007 / 18TH PAUSHA 1928

Tr.P(C).No. 313 of 2006()

(FOR TRANSFERRING O.P.605/2006 of FAMILY COURT,TRIVANDRUM TO FAMILY COURT THODUPUZHA

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PETITIONER:

ANNLIN BEJOY PHILIP,
AGED 24 YEARS, W/O.DR.BEJOY PHILIP,
NOW RESIDING AT AIKARAKUDIYIL,
KANJIRAMATTOM, THODUPUZHA EAST P.O.,
IDUKKI DISTRICT.

BY ADV. SRI.K.K.CHANDRAN PILLAI

RESPONDENT:

DR.BEJOY PHILIP, AGED 30 YEARS,
S/O.KUTTIYIL JOSHUA PHILIP, DEEPAM,
M.P.R.A.85, TC 13/1630 (1),
NEAR G.G.HOSPITAL, KUMARAPURAM,
MEDICAL COLLEGE P.O.,
THIRUVANANTHAPURAM-695 011.

BY ADV. SRI.P.RAMAKRISHNAN

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 08/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

Tr.P.(c)313/06

ORDER ON I.A.3526/06 IN TR.P.(C)313/06

DISMISSED

8.1.2007. SD/-M.SASIDHARAN NAMBIAR, JUDGE.

M.SASIDHARAN NAMBIAR,J.

Tr.P.(C)NO.313 OF 2006

DATED THIS THE 8th DAY OF JANUARY, 2007

ORDER

Petitioner is the wife. Respondent is the husband. Respondent filed O.P.605/06 before Family Court, Thiruvananthapuram for divorce. Petitioner filed M.C.101/06 claiming maintenance, before Family Court, Thodupuzha. She also filed O.P.276/06 before the same Court for return of the amount and gold ornaments from respondent. This petition is filed by the wife to transfer O.P.605/06 filed by respondent to Family Court, Thodupuzha contending that as two other cases are pending before Family Court, Thodupuzha and petitioner is residing at Thoudpuzha and it is difficult for her to travel to Thiruvananthapuram with a one year old child and contest the case.

2. Learned Counsel appearing for petitioner and respondent were heard.

3. Learned Counsel appearing for respondent argued that the contentions in this petition that mother of respondent is a mental patient and is harassing petitioner are false. But that is not a fact to be decided in this petition.

But considering the fact that petitioner is residing at Thodupuzha and with one year old child, she cannot travel to Thiruvananthapuram

and contest the case and also the fact that two cases filed by the wife against respondent are pending before Family Court, Thodupuzha claiming maintenance and realisation of the amount and ornaments, this petition is allowed. O.P.605/06 on the file of Family Court, Thiruvananthapuram is withdrawn and transferred to Family Court, Thoudpuzha for disposal in accordance with law.

M.SASIDHARAN NAMBIAR,JUDGE

Acd